

Date

Marshall A. Hevron
Adams and Reese LLP
701 Poydras Street
Suite 4500
New Orleans, Louisiana 70139

Re: Ethics Board Docket No. 2021-109

Dear Mr. Hevron:

The Louisiana Board of Ethics, at its April 9, 2021 meeting, considered your request on behalf of the Mid-City Security District ("MCSD") for an advisory opinion as to whether former MCSD Commissioner James Olsen may be retained without compensation as an advisor to the MCSD.

FACTS PROVIDED

You have stated that James Olsen ended his term as a commissioner of the MCSD in March 2021, and desires to serve as an advisor to the MCSD board without compensation and on a non-contractual basis. Mr. Olsen's role as advisor would be an informal, non-appointed position.

LAWS

La. R.S. 42:1121(A)(2) provides that no former member of a board or commission shall, for a period of two years following the termination of his public service on such board or commission, contract with, be employed in any capacity by, or be appointed to any position by that board or commission.

La. R.S. 42:1123(30) provides that this Part shall not preclude a public servant, a legal entity in which he has a controlling interest, or a member of his immediate family, from donating services, movable property, or funds to his agency. La. R.S. 42:1123(30) shall not be construed to allow a public servant to make an appointment of a person which is otherwise prohibited by the Code.

CONCLUSION

The Board concluded, and instructed me to inform you, that the Code of Governmental Ethics would not prohibit former MCSD Commissioner James Olsen from rendering services as an advisor to the MCSD without compensation on a non-contractual basis.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

Charles E. Reeves, Jr.
For the Board

DISCLAIMER
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics.
No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only,
and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.